THE HON'BLE MR JUSTICE M. VENKATESWARA REDDY

WRIT PETITION No.9780 of 2006

Date: 09.05.2006

Between:

Smt.M.Annapurna

… PETITIONER

AND

The Government of Andhra Pradesh,

Represented by Dy. Commissioner of

Prohibition and Excise, Ananthapur,

Ananthapur District & another.

… RESPONDENTS

THE HON'BLE MR JUSTICE M. VENKATESWARA REDDY

WRIT PETITION No.9780 of 2006

O R D E R:

The grievance of the petitioner is that her vehicle i.e., lorry bearing registration No.AP–16-TV-6147 was seized by the second respondent on 15-04-2006 on the allegation that it was found
to have been carrying arrack sachets. A show cause notice for
confiscation was issued to the petitioner on 22-04-2006, for which she submitted reply on 25-04-2006. The petitioner made a representation on 05-05-2006 to the first respondent seeking release of the vehicle. The said representation is not disposed of.

In the above circumstances, the writ petition is filed with a prayer as follows:

> "For the reasons stated in the accompanying affidavit the petitioner herein prayed that this Hon'ble Court may be pleased to issue a Writ or direction preferably writ of mandamus declaring the action of the respondents in not releasing the vehicle in favour of the petitioner who is the owner of the vehicle bearing lorry No.AP 16TV 6147 despite request made by the petitioner on 25-04-2006 and latest representation dt.5-5-2006 as illegal, arbitrary, and violative of principles of natural justice and consequently direct the respondents to release the vehicle forthwith and pass such other or further orders as this Hon'ble Court deems fit and proper in the circumstances of the case."

The learned counsel for the petitioner submits that he will be satisfied if a direction is given to the respondents to dispose of the confiscation proceedings at an early date inasmuch as the first respondent has already fixed the hearing date to 20-05-2006.

Heard the learned Government Pleader for Excise.

In the circumstances, the writ petition is disposed of with a direction to the

respondents to dispose of the confiscation proceedings pending before the first respondent with a period of four weeks from the date of receipt of a copy of this order.

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M. VENKATESWARA REDDY, J

Date: 09.05.2006

Note:

Issue CC in 3 days

Lrkm